



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/776,991

02/05/2001

Yoichiro Igarashi

FUJO 17.290

4908

26304 7590 04/23/2008
KATTEN MUCHIN ROSENMAN LLP
575 MADISON AVENUE
NEW YORK, NY 10022-2585

EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

04/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/776,991	Applicant(s) IGARASHI ET AL.	
	Examiner HUSSEIN A. EL CHANTI	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21, 22, 52 and 53 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21, 22, 52 and 53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>4/10/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to amendment received on Jan. 28, 2008. Claims 21 and 52 were amended. Claims 21, 22, 52 and 53 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21, 22, 52 and 53 are rejected under 35 U.S.C. 102(e) as being anticipated by Khalil et al., U.S. Patent No. 6,578,085 (referred to hereafter as Khalil).

As to claim 21, Khalil teaches a method of providing a communication service to a correspondent terminal that communicates with a mobile terminal, comprising the steps of:

 hunting binding information about the mobile terminal, the binding information being information which provides a correspondence between an IP address of the mobile terminal and an IP address of a foreign agent that is accommodating the mobile terminal and the binding information being transferred from a home agent of the mobile terminal to the correspondent terminal (see col. 4 lines 1-15, the binding information between the FA and the mobile device are transmitted from the HA to the correspondent terminal), and

processing and storing the binding information for the correspondent terminal (see col. 4 lines 12-15, the correspondent terminal stores in the cache the binding information); and

processing a data packet from the correspondent terminal to the mobile terminal based on the binding information (see col. 4 lines 12-15, the correspondent terminal forwards packets directly to the mobile device), wherein the binding information hunting includes the steps of:

determining whether a packet from the home agent is a binding update message (see col. 4 lines 3-11);

when the packet is a binding update message, determining whether a cache corresponding to the correspondent terminal has been established (see col. 4 lines 5-9, determination is made whether the cache needs to be updated),

when the cache has been established, storing the binding update message in a binding cache and a service profile (see col. 4 lines 6-15, the new binding information is stored in the cache), and.

when the cache has not been established, generating and transmitting a binding acknowledge message (see col. 4 lines 11-13, a binding update message is sent by the home agent).

As to claim 22, Khalil teaches the method of claim 21 further comprises tunneling data packet (see col. see fig. 2).

As to claim 52, Khalil teaches a proxy correspondent node device to accommodate a correspondent terminal which makes a communication with a mobile terminal, comprising:

Means for hunting binding information about the mobile terminal, the binding information being information which provides a correspondence between an IP address of the mobile terminal and an IP address of a foreign agent that is accommodating the mobile terminal and the binding information being transferred from a home agent of the mobile terminal to the correspondent terminal (see col. 4 lines 1-15, the binding information between the FA and the mobile device are transmitted from the HA to the correspondent terminal), and

Means for processing and storing the binding information for the correspondent terminal (see col. 4 lines 12-15, the correspondent terminal stores in the cache the binding information); and

means for processing a data packet from the correspondent terminal to the mobile terminal based on the binding information (see col. 4 lines 12-15, the correspondent terminal forwards packets directly to the mobile device).

As to claim 53, Khalil teaches the proxy of claim 52 comprising means for transmitting a binding acknowledge message to the home agent which has a request to the home agent that subsequent binding information should be transmitted to the proxy correspondent node device (see col. 4 lines 12-15) , wherein the binding information hunting means includes:

means for determining whether a packet from the home agent is a binding update message (see col. 4 lines 3-11);

means for determining when the packet is a binding update message, determining whether a cache corresponding to the correspondent terminal has been established (see col. 4 lines 5-9, determination is made whether the cache needs to be updated),

means for determining when the cache has been established, storing the binding update message in a binding cache and a service profile (see col. 4 lines 6-15, the new binding information is stored in the cache), and.

Means for, when the cache has not been established, generating and transmitting a binding acknowledge message (see col. 4 lines 11-13, a binding update message is sent by the home agent).

Response to Arguments

3. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

April 15, 2008

Application/Control Number: 09/776,991
Art Unit: 2157

Page 7

/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157